

### **Remarks**

#### 1) Rejections Under 35 USC 112

##### Claim 15

The claim indicates that the pole piece includes the magnet. This follows from claim 8 in which a magnetic flux path is established. Claim 8 indicates that at least one of (a) the pole piece; (b) the at least one intermediate member; and (c) the opposed member, includes a magnet. Claim 15 further specifies that, of (a), (b) and (c), the pole piece includes the magnet.

The applicant respectfully submits that claim 15 is allowable as presently pending, and notes that claim 15 has previously been found to be allowable.

##### Claim 17

Claim 17 has been amended to delete "distal end member" and insert --- end cap ---.

Claim 17 does not indicate that the magnet has passages formed in it. Claim 17 indicates that the end cap (i.e., formerly the distal end member) had passages in it. The claim indicates that the end cap surmounts the magnet. The applicant respectfully submits that this is not mis-descriptive, but rather in accord with the description and illustrations.

The applicant respectfully submits that claim 17 is allowable as presently amended.

##### Claim 36

The applicant respectfully submits that claim 36 is correct as presently written, although it appears there may be some confusion. In that light the applicant has amended the claim to cover the same scope, but with different wording.

##### Claims 37 and 43

Claims 37 and 43 have been cancelled.

##### Claim 47

Claim 47 has been amended to be consistent with an antecedent (voice coil former), and to correct a term that had been inverted (flux land).

The Applicant is somewhat confused by the comments in the Office Action concerning claim 47. As far as the Applicant can tell, claim 47 appears to read on the examples of Figures 2, 3, 4a, 4b, 5a, 5b, 6a and 6b. If the Applicant is mistaken in this, and the Examiner can explain why, or

how, this is not so, the Applicant respectfully requests an explanation of those comments, and a full and fair non-final opportunity to address them once understood.

2) Rejection of Claim 48 Under 35 USC 103

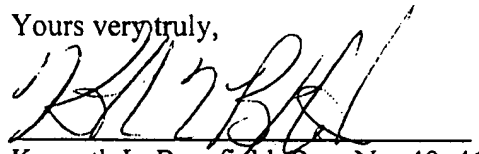
Claim 48 has again been amended to overcome the art cited in the Office Action. Neither Button nor Yamamoto, nor Button and Yamamoto if taken together, shows, describes or suggests a inner wall in the opposed piece that (a) has a first portion that faces the pole piece across the gap; and (b) has a second portion that also faces the pole piece, the second portion defining a relief, and the second portion extending farther away from the pole piece than the first portion. Button does not have reliefs of any kind in the opposed piece, and Yamamoto's radially extending passages do not have a wall portion facing the pole piece.

Claim is supported by the illustration of Figure 6b, and the written description at page 20 line 28 to page 21 line 30. The applicant submits that claim 48, as presently amended is allowable over the art of record in this case.

3) Conclusion

The applicant submits that all of the claims presently pending in the case are allowable, and respectfully requests early and favourable disposition of this application.

Yours very truly,

  
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